

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Jul 21, 2023

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSE AGUIRRE-RUIZ (3),

Defendant.

No. 1:22-CR-02021-MKD-3

ORDER GRANTING UNITED
STATES' MOTION TO DISMISS
INDICTMENT

ECF Nos. 217, 219

Before the Court is the United States' Response to Defendant's Renewed Motion to Dismiss and Government's Motion to Dismiss, ECF No. 219. The United States moves the Court to dismiss Count 2 of the Indictment, ECF No. 1, pursuant to Fed. R. Crim. P. 48(a). Fed. R. Crim P. 48(a) provides that "[t]he government may, with leave of court, dismiss an indictment, information, or complaint." The Court has reviewed the record and the motion and finds good cause grant leave to dismiss the Indictment.

1 Accordingly, **IT IS HEREBY ORDERED:**

2 1. The United States' Response to Defendant's Renewed Motion to
3 Dismiss and Government's Motion to Dismiss, **ECF No. 219**, is **GRANTED**.

4 2. Count 2 of the Indictment, **ECF No. 1**, is **DISMISSED WITH**
5 **PREJUDICE** as to Defendant Jose Aguirre-Ruiz (3).

6 3. All hearings pertaining to Defendant Aguirre-Ruiz (3), in Case No.
7 1:22-CR-02021-MKD-3, if any, are **STRICKEN**, and all pending motions, if any,
8 including ECF No. 217, are **DENIED AS MOOT**.

9 4. A separate order dispersing bond will issue.

10 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order and
11 provide copies to counsel, the United States Probation Office, the United States
12 Marshals Service and **CLOSE** the file.

13 **DATED** July 21, 2023.

14 *s/Mary K. Dimke*
15 MARY K. DIMKE
16 UNITED STATES DISTRICT JUDGE
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